

# EXHIBIT N

LONG ISLAND RAIL ROAD  
TRANSPORTATION DEPARTMENT  
NOTICE OF TRIAL

CERTIFIED MAIL NO. 7020 0640 0000 2008 1138  
AND FIRST-CLASS MAIL

January 29, 2021

Case No. 043-21

Mr. Steven Rosati – 58733  
375 Kent Avenue  
Lindenhurst, NY 11757

Dear Mr. Rosati:

Please arrange to be present at an investigation to be held at the Transportation Trial Office, 146-01 Archer Avenue, 1<sup>st</sup> Floor, Jamaica, New York on:

DATE: February 5, 2021

TIME: 10:30 AM

**IN CONNECTION WITH THE FOLLOWING CHARGE(s):**

**Failure to Follow a Supervisor's Directive; Violation of the Terms and Conditions of your Collective Bargaining Agreement, Sick Leave Provision and/or Violation of the Corporate Absence Control Policy; Section B.4, which states in pertinent part;**

*"Patterns of abuse, such as the repeat occurrences of taking days off in conjunction with relief days, vacations, personal days, or other approved time off constitutes a pattern of abuse subject to discipline without requiring the accumulation of points as described in this Policy."*

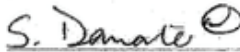
On January 5, 2021, January 11, 2021 and January 15, 2021, you requested and were granted sick leave. On January 21, 2021, the Department concluded an investigation which revealed that those sick leave days were in conjunction with either a personal or relief days, which demonstrates a pattern of abuse as described in the Corporate Absence Control Policy. On January 21, 2021 you were directed to provide the Carrier with Sick Leave Application form SLA 28 for those absences no later than January 26, 2021; however, you failed to comply with this directive.

You may, if you so desire, be accompanied by an accredited union representative of your Organization, to represent you without expense to the Company.

You may produce witnesses on your behalf, without expense to the Company.

You and/or your representative may cross-examine witnesses.

You will be expected to be present throughout the entire proceeding.



S. Damato  
Director - Transportation Crew Mgmt. Services

cc: SMART Transportation Division - A. Simon, Human Resources – M. Centauro